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June 11, 2018

**ECF**

Honorable Ramon E. Reyes, Jr.  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Rm. N208  
Brooklyn, New York 11201

**Re:** *Cortes v Juquila Mexican Cuisine Corp.*; 1:17-cv-3942 (ARR)(RER)

Dear Judge Reyes:

This firm represents the defendants in the above referenced matter. We submit this letter to ask for clarification and/or an extension of the existing scheduling order so that defendants may move for summary judgment.

On September 13, 2017, the parties submitted a proposed Case Management Plan that was never signed by the Court [Dkt. 15]. Thereafter, on January 22, 2018, the Court issued a Scheduling Order with respect to some of the relevant dates for this case. On March 30, 2018, the Scheduling Order was modified once more.

The proposed Case Management Plan at paragraph 7 stated that all pre-motion letters regarding dispositive motions must be submitted one week after the close of discovery. It is unclear whether in the absence of a signed Case Management Plan that date still stands. Nevertheless, defendants request an extension within which to file a pre-motion letter of summary judgment.

The request is based on the fact that just today defendants received electronic transcripts of the depositions of all 5 plaintiffs, taken on May 30 and May 31, 2018. Moreover, a quick review of the depositions indicates that there is no basis in law or fact for the inclusion of defendant Juquila Kitchen and Bar Corp. in this action.

In addition to formulating its legal arguments, defendants must still send plaintiffs copies of their transcripts so that they may review and sign off as to their accuracy.

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Thus, for the reasons set forth above, defendants request clarification with respect to when pre-motion letters of dispositive motions are due. In the alternative, defendants request a 30-day extension so that plaintiffs are afforded the opportunity to review their transcripts for accuracy, prior to defendants making their motion for summary judgment.

Respectfully submitted,



Martin E. Restituyo, Esq.